IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3100 OF 2007

Harishchandra Nathuram Parange. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Ms.Anjali Patil for the applicant.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 9th October 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with C.R.No.89/2007 registered with Wadala Police Station, Mumbai for the offences punishable under sections 376, 511, 354 read with section 34 of Indian Penal Code.

3. The applicant came to be arrested on 2nd June, 2007 only on the basis of the statement made by one of the co-accused. There is no material on record other than the statement of co-accused to connect the

present applicant with the offence alleged. Prima facie, in my opinion, the statement of accused, in absence of any material to corroborate it, can hardly lead to conviction. The applicant is, therefore, entitled to bail.

4. In the above circumstances of the case, I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.89/2007 registered with Wadala Police Station shall be enlarged on bail in the sum of Rs.25,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial. He shall co-operate with the investigating agency for disposal of the case.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail.

The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

5. Application stands disposed of accordingly.

JUDGE